

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CHARLES RONALD MCKINNEY, )  
 ) CASE NO. C10-1863-RSM  
Petitioner, )  
 )  
v. )  
 ) ORDER DENYING PETITIONER'S  
PATRICK GLEBE, ) HABEAS PETITION WITH  
 ) PREJUDICE  
Respondent. )  
\_\_\_\_\_ )

The Court, having reviewed petitioner's petition for writ of habeas corpus, respondent's answer thereto, the Report and Recommendation of Mary Alice Theiler, United States Magistrate Judge, and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation;
- (2) Petitioner's habeas petition and this action are DISMISSED, with prejudice;
- (3) Petitioner's motion to withdraw (Dkt. 11) is DENIED;
- (4) Petitioner is DENIED issuance of a certificate of appealability, and
- (5) The Clerk is directed to send copies of this Order to petitioner, to counsel for respondent, and to Judge Theiler.

ORDER DENYING PETITIONER'S  
HABEAS PETITION WITH PREJUDICE

01 DATED this 18 day of April 2011.

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04 RICARDO S. MARTINEZ  
05 UNITED STATES DISTRICT JUDGE  
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